Calendar No. 865

99TH CONGRESS
2d Session

SENATE

REPORT
99-417

AMENDING THE WILD AND SCENIC RIVERS ACT

AUGUST 15 (legislative day, AUGUST 11), 1986.—Ordered to be printed

Mr. MCCLURE, from the Committee on Energy and Natural Resources, submitted the following

REPORT

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[To accompany S. 2287]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2287), to amend the Wild and Scenic Rivers Act to designate a certain portion of the Great Egg Harbor River in the State of New Jersey for potential addition to the wild and scenic rivers system, having considered the same, reports favorably thereon with an amendment to the text and recommends that the bill as amended do pass.

The amendment is as follows:

On page 2, strike line 11 in its entirety and insert in lieu thereof the following: "not to exceed $150,000.' ".

PURPOSE OF THE MEASURE

S. 2287, as reported, would direct the Department of the Interior to study the potential addition of the Great Egg Harbor River in southern New Jersey to the National Wild and Scenic Rivers System.

BACKGROUND AND NEED

The Great Egg Harbor River is located in a largely undeveloped area of southern New Jersey. A large portion of the river is within the Pinelands National Reserve. The mainstem of the river is 60 miles in length. It rises in urbanized Camden County and flows through Gloucester and Atlantic Counties before it empties into the Atlantic Ocean behind the barrier island of Ocean City.

The nationwide rivers inventory which was released by the National Park Service in 1982, identified five segments of the Great

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Egg Harbor River in New Jersey as containing outstanding values which would warrant further study as to its suitability for designation as a component of the National Wild and Scenic Rivers System. The river segments identified in the nationwide inventory totalled 56.2 miles. The large portion of the river located in Pinelands National Reserve was identified by Congress in the National Parks and Recreation Act of 1978, as being important ecologically and for which special planning and acquisition assistance to the State of New Jersey was authorized.

S. 2287, as reported, authorizes up to $150,000 to complete the study. The Park Service estimates the cost of the study would be $150,000.

Legislative History

S. 2287 was introduced by Senator Bradley and Senator Lautenberg on April 10, 1986. The Subcommittee on Public Lands, Reserved Water and Resource Conservation held a hearing on S. 2287 on June 20, 1986. The House of Representatives approved similar language on April 8, 1986, as a provision in H.R. 4350. The Administration opposes enactment of S. 2287.

At a business meeting on August 14, 1986, the Senate Committee on Energy and Natural Resources ordered S. 2287, as amended, favorably reported.

Committee Recommendations and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on August 14, 1986, by unanimous vote of a quorum present recommends that the Senate pass S. 2287, if amended, as described herein.

The rollcall vote on reporting the measure was 18 yeas, 0 nays as follows:

YEAS	NAYS
Mr. McClure	
Mr. Hatfield*	
Mr. Weicker*	
Mr. Domenici	
Mr. Wallop*	
Mr. Warner	
Mr. Murkowski*	
Mr. Nickles	
Mr. Hecht	
Mr. Evans	
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Metzenbaum*	
Mr. Melcher*	
Mr. Bradley	
Mr. Bingaman	
Mr. Rockefeller	

*Indicates voted by proxy.

COMMITTEE AMENDMENT

The purpose of the amendment is to put an authorization ceiling of $150,000 on the Wild and Scenic Rivers study authorized by the Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S CONGRESS
CONGRESSIONAL BUDGET OFFICE
Washington, DC August 15, 1986.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources,
U.S Senate, Washington, DC

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 2287, a bill to amend the Wild and Scenic Rivers Act to designate a certain portion of the Great Egg Harbor River in the State of New Jersey for potential addition to the wild and scenic rivers system, as ordered reported by the Senate Committee on Energy and Natural Resources, August 14, 1986.

S. 2287 would authorize the appropriation of not more than $150,000, effective October 1, 1986, for the purpose of conducting the study of the river. Assuming appropriation of the authorized amounts, enactment of the bill will result in costs to the federal government totaling approximately $150,000 over three years beginning in fiscal year 1987.

We estimate that enactment of this bill will not affect the budgets of state of local governments.

If you with further details, on this estimate, we will be pleased to provide them.

With best wishes,

Sincerely,

RUDOLPH G. PENNER, *Director.*

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2287. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2287, as reported.

EXECUTIVE COMMUNICATIONS

The pertinent legislative report received by the Committee from the Department of the Interior setting forth executive agency recommendations relating to S. 2287 is set forth below:

READEX FICHE

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, July 11, 1986.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This responds to your request for our views on S. 2287, a bill "To amend the Wild and Scenic Rivers Act to designate a certain portion of the Great Egg Harbor River in the State of New Jersey for potential addition to the wild and scenic rivers systems."

We oppose the enactment of S. 2287.

S. 2287 would amend the Wild and Scenic Rivers Act by designating the entire Great Egg Harbor River in New Jersey for study as a potential component of the National Wild and Scenic Rivers System. The bill would require that the study the completed within three years, and it would authorize the appropriations of such sums as may be necessary to complete the study.

The nationwide rivers inventory which was released by the National Park Service in 1982 identified five segments of the Great Egg Harbor River in New Jersey as containing potential outstandingly remarkable values. The river segments identified in the nationwide inventory totalled 56.2 miles. A large portion of the river is located in the Pinelands National Reserve, an area which the Congress identified in the National Parks and Recreation Act of 1978 as being important ecologically and for which special planning and acquisition assistance to the State of New Jersey was authorized. Since there is no Federal land along the river corridor, we believe its status is a matter for the State to consider. We would welcome a nomination from the Governor for designation as a State-administered component of the National Wild and Scenic Rivers Sysem.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpont of the Administration's program.

Sincerely,

P. DANIEL SMITH,
Deputy Assistant Secretary.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 2287, as order reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

WILD AND SCENIC RIVERS ACT

Public Law 90-542 (82 Stat. 906)

SEC. 5(a) the following rivers are hereby designated for potential additional to the national wild and scenic rivers system:

(1) * * *

* * * * * * *

(90) The North Umpqua, Oregon; the segment from the soda springs Powerhouse to the confluence of Rock Creek. The provisions of section 7(a) shall apply to tributary Steamboat Creek in the same manner as such provisions apply to the rivers referred to in such section 7(a). The Secretary of Agriculture shall, in the Umpqua National Forest plan, provide that management practices for Steamboat Creek and its immediate environment conserve, protect, and enhance the anadromous fish habitat and population.

(92) Great Egg Harbor River, New Jersey: The entire river.

SEC. 5(b)(1) * * *

* * * * * * *

(3) The studies of the rivers named in paragraphs (59) through (76) of subsection (a) shall be completed and reports submitted thereon not later than five full fiscal years after the date of the enactment of this paragraaph. The study of rivers named in paragraph (62) through (64) of subsection (a) shall be completed and the report thereon submitted by not later than April 1981. The study of the river named in paragraph (90) of subsection (a) shall be completed not later than three years after the date of the enactment of this sentence. *The study of the river named in paragraph (92) of subsection (a) shall be completed not later than three years after the date of the enactment of this sentence.*

(4) There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in subparagraphs (28) through (56) such sums as may be necessary, but not more than $4,060,000. There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in subparagraphs (59) through (76) such sums as may be necessary. There are authorized to be appropriated for the purpose of conducting the study of the river named in paragraph (90) such sums as may be necessary. *Effective October 1, 1986, there are authorized to be appropriated for the purpose of conducting the study of the river named in paragraph (92) not to exceed $150,000.*

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